

Environmental Regulations **What You Might Want to** **Know**

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October 5, 2004
Anaerobic Digester & Biogas Workshop
Fort Morgan, Colorado

What you Might Want to Know

- Who I am & why I am here
- Why CAFOs are regulated
- Broad Overview of Environmental Regulations
 - What you should be aware of
- Making the “Connection”
 - Things to think about
 - Where to start
 - How CDPHE help

Why Do “We” Care

- Animal waste/manure contains significant amounts of nutrients
 - Nitrogen (ammonia and nitrates)
 - Phosphorous
 - Metals
- Contains significant amounts of organic matter
 - Carbon-based biodegradable compounds
- Other solids
 - Spilled feed, bedding, litter materials, hair, etc.
 - Can transport nutrients, pathogens and pollutants

Regulations

Federal Requirements

- Clean Water Act
 - National Pollutant Discharge Elimination System (NPDES)
- Oil Pollution Act
 - Spill Prevention Countermeasures Control (SPCC)
- Federal Insecticide, Fungicide & Rodenticide Act (FIFRA)
- Toxic Substance Control Act (TSCA)
- EPCRA/Community Right-to-Know Act
 - Tier II Reporting
- Endangered Species Act

Regulations

State Requirements

- Water
 - Surface Water – Regulation No. 61
 - Ground Water – Regulation No. 81
 - Stormwater – 5 CCR 1002-61
- Air
 - Odor – Regulation No. 2
 - Criteria Pollutants/Major Sources – Regulation No. 3
- Hazardous Waste
 - Universal Waste – 6 CCR 1007-3, Part 273
 - Used Oil – 6 CCR 1007-3, Parts 260.10 and 279
- Solid Waste
 - Composting – 6 CCR 1007-2, Section 14
- Consumer Protection
 - Dairy Program – 6 CCR 1010-3 & 4

Other Regulations

- Occupational Safety & Health Administration - OSHA
- Food & Drug Administration - FDA
- USDA/NRCS, Conservation Reserve Program - CRP
- Local Ordinances/Zoning
 - Use by Special Review – USR
 - Right-to-Farm

Regulatory Roulette

- So many rules, so little time...
 - How's a person to know?
 - Where does a person start?
- Start with you
- Research
 - Use the internet
 - Call your local health department or the state Department of Public Health and Environment
 - Attend workshops, public meetings, join associations

Do I Need a Permit?

- Ask yourself questions like...
 - How big is my facility?
 - Existing or planned
 - Is it an AFO or a CAFO
 - Kind of animals
 - Number of animals
 - Location of drains, ditches and waterways nearby
 - Have you had a discharge in the past or could you?
 - Is or has any manure being/been discharged to surface water?
 - How many days of storage do you have available?
- If you're a CAFO you need a discharge permit
 - Contact CDPHE's AFO Program staff in the Water Quality Control Division

Other Requirements to Keep Mind

- Used Oil
 - Label as “used oil” and store properly
- Types of Universal Wastes
 - Batteries
 - Agricultural Pesticides
 - Mercury containing devices
 - Aerosol cans
 - Lamps (sodium, mercury, halogen)
 - Electronic devices and components
- Don't accumulate more than one year
- Properly store and label

Where to go for a Permit

- CAFOs – contact the WQCD
 - Colorado Discharge Permit System – AFO Program
 - Stormwater Permit for construction activities over one acre – Stormwater Program
- Dairy, Beef, Poultry Exempt from Air Quality Permits and Regulations
 - Except possibly some equipment at feedmills (boilers, grain elevators, etc.)
- Swine
 - 800,000 pounds or more also subject to state odor regulation
 - Air Pollution Control Division (APCD)

Tips to Keep in Mind

■ Digester Systems

- Air Pollutant Emission Notice (APEN) and/or Construction Permit may be required
- Flares – may require APCD Permit and/or APEN
- Regulated Pollutants
 - Carbon Monoxide, Nitrogen Oxides, Sulfur Dioxide, VOCs, ozone, Particulate Matter, Lead, Hydrogen Sulfide, HAPs
- Engines, boilers, equipment may be subject to New Source Performance Standards (NSPS)
- Must be included in discharge permit as part of manure management system
 - Solids separation
 - Composting
 - Land application tied to the system

When to Contact Regulators

- Air
 - Prior to beginning construction
- Water
 - For discharge permit – prior to beginning operation
 - For stormwater – prior to construction
- Hazardous/Solid Waste
 - Notification requirement if more than 11,000 pounds accumulate

How Can “We” Help

- Partnerships
- Incentives
- Address regulatory barriers and roadblocks
- Education and Outreach
 - Beneficial Use
 - Environmental Benefits/Outcomes
- Supplemental Environmental Projects (SEPs)
- Recognize leaders

Contact Information

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